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ENCYCLOPÆDIA

OF THE

LAWS OF ENGLAND

VOLUME XV

EDITORS

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Printed by William Green & Sons, *Edinburgh*

August 1909

E565.2

ENCYCLOPÆDIA

OF THE

LAWS OF ENGLAND

WITH FORMS AND PRECEDENTS

BY THE

MOST EMINENT LEGAL AUTHORITIES

VOLUME XV

TABLE OF CASES, INDEX TO FORMS AND PRECEDENTS, ADDENDA AND CORRIGENDA

ALONG WITH A

COMPLETE INDEX OF MATTERS CONTAINED IN THE ENTIRE WORK BY

WILLIAM BOWSTEAD,
OF THE MIDDLE TEMPLE AND SOUTH-EASTERN CIRCUIT, BARRISTER-AT-LAW

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LONDON AND EDINBURGH
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CORRIGENDA ET ADDENDA.

VOL. I.

Page x., 2nd col., l. 22, *for* "Common Pleas," *read* "Chancery."

" 93, l. 38, *add* reference to Railway Employment (Prevention of Accidents) Act, 1900, 63 & 64 Vict. c. 13 (2), which deals with accidents happening on sidings.

" 149, l. 9, *for* "general," *read* "funeral."

" 201, l. 20, *for* "42 & 53 Vict. c. 29," *read* "42 & 43 Vict. c. 30."

" 202, l. 3 from foot, *for* "[1896] 1 Q. B.," *read* "[1896] 2 Q. B.;" l. 5 from foot, *for* "20 Q. B. D. 77," *read* "20 Q. B. D. 771."

" 248, last line, *for* "[1900] 1 K. B. 119," *read* "[1901] 1 K. B. 118."

" 288, l. 26, *for* "1017," *read* "1117."

" 301, last line, *for* "one-third," *read* "one-fifth."

" 307, to reference to Alkali Works Regulation Act, 1906, *add* "6 Edw. VII. c. 14."

" 316, l. 28, *for* "s. 7 (13)," *read* "s. 7 (3)."

" 353, l. 9 from foot, *delete* "F."

" 432, *for* ll. 23-29, *read* "The stamp duty on indentures of apprenticeship is 2s. 6d., but instruments relating to poor children apprenticed by or at the sole charge of any parish or township, or by or at the sole charge of any public charity, or pursuant to any Act for the regulation of Parish apprentices, are exempt, as are also instruments of apprenticeship in Ireland, where the value of the premium or consideration does not exceed £10 (Stamp Act, 1891, 54 & 55 Vict. c. 39, s. 25, and Schedule). By sec. 108 of the Merchant Shipping Act, 1894, 57 & 58 Vict. c. 60, indentures of apprenticeship for the sea service are exempt from stamp duty."

" 468, *delete* clause 12 of Form II.

" 491, l. 1, *for* "1889," *read* "1899."

" 620, l. 45, *for* the sentence beginning, "But it has been held," *read* "Where a solicitor who had been appointed executor and trustee, and is authorised by the will to charge for all business done by him in relation to the estate as if he were a solicitor employed by the trustees, attests the will, he is not entitled to any profit costs for business done in relation to the estate, as the right to charge profit costs can only be claimed under the will, and is a beneficial interest which he is precluded from claiming by sec. 15 of the Wills Act, 1837, 1 Vict. c. 26 (*In re Pooley*, 1888, 40 Ch. D. 1).

" 643, l. 2 from foot, *add* reference to *Webb* v. *Outrim*, [1907] A. C. 81, which qualifies the statement in the text.

" 707, l. 26, *for* "establishing," *read* "established."

" 708, l. 9, *for* "Transfer of Companies," *read* "Transfer of stock of Companies."

VOL. II.

Page 6, l. 4 from foot, *for* "3 Morr.," *read* "5 Morr."

" 7, l. 3 from foot, *for* "L. R. 6 Ch.," *read* "L. R. 7 Ch."

" 8, l. 7, *for* "L. R. 5 Ch. 894," *read* "L. R. 8 Ch. 374."

" 47, l. 24, *for* "*In re Hopkins*, 1878, 8 Ch. D.," *read* "*In re Hopkins*, 1881, 18 Ch. D."

" 50, l. 41, *for* "debtor," *read* "creditor."

" 57, last line, *for* £3, *read* £2.

Page 58, l. 40, *for* "part," *read* "paid."
„ 63, l. 18, *for* "*In re Morley*," *read* "*Scott* v. *Morley*."
„ 203, l. 9, *for* "drawer," *read* "drawee."
„ 206, l. 29, *for* "drawee's," *read* "drawer's."
„ 207, l. 11, *for* "whether they," *read* "who."
„ 208, l. 14 from foot, *for* "bill," *read* "bills."
„ 209, l. 4, *for* "defect of titles," *read* "defects of title;" l. 8 from foot, *for* "drawers," *read* "drawees."
„ 210, l. 12, *for* "drawee," *read* "drawer;" l. 13, *for* "indorsee," *read* "indorser."
„ 213, l. 14 from foot, *for* "drawer," *read* "drawee."
„ 218, l. 15, *add* "For alteration effected by the Larceny Act, 1901, see DIRECTION IN WRITING."
„ 219, Note 1, l. 4, *for* "On any bill," *read* "On any other bill."
„ 245, l. 43, to "*North Central Wagon Co.* v. *Manchester, etc., Railway Co.*, 1887, 35 Ch. D. 191," *add* a reference to "13 App. Ca. 554."
„ 482, l. 6 from foot, *for* "[1900] P.," *read* "[1901] P."

VOL. III.

„ 15, l. 17, *after* "*M'Iver & Co.*," *add* "v. *Tate Steamers*."
„ 36, l. 27, *for* "2 C. P. 151," *read* "2 C. P. D. 151."
„ 47, l. 8 from foot. The China and Corea order 1904 has been repealed by the order of 1906. See CONSULAR FEES, Vol. III. p. 495.
„ 131, l. 26, *for* "10 Kel.," *read* "Kely.;" l. 29, *for* "2 Lew. C. C.," *read* "2 Lew. C. C. 229."
„ 224, l. 26, *for* "15 Q. B. D. 791," *read* "15 Q. B. 791."
„ 225, l. 10 from foot, for "L. R. 1 C. P. 592," *read* "L. R. 7 C. P. 592; L. R. 8 C. P. 527."
„ 227, l. 11, *for* "6 Rep. 596 *b*," *read* "6 Rep. 59 *b*;" l. 33, *for* "6 Ch.," *read* "L. R. 6 Ch."
, 259, l. 9 from foot, *for* "[1890] 1 Q. B.," *read* "[1891] 1 Q. B."
„ 285, l. 27, *after* "85 L. T. 549," *add* "[1902] A. C. 117."
„ 289, l. 20, and p. 314, l. 23, *for* "*Re George Whitechurch & Co.*, [1901] A. C. 117," *read* "*George Whitechurch, Ltd.* v. *Cavanagh*, [1902] A. C. 117."
„ 290, l. 10 from foot, *for* "[1901] 1 Ch. 128," *read* "[1901] 1 Ch. 728."
„ 291, l. 14, *for* "[1894] 1 Ch.," *read* "[1895] 1 Ch."
„ 293, l. 32, *for* "*In re Oxford Building Society* v. *Investment Society*, 1886, 25 Ch. D.," *read* "*In re Oxford Benefit Building and Investment Society*, 1886, 35 Ch. D."
„ 339, l. 1, *for* "6 App. Cas. 800," *read* "L. R. 6 Ch. 800; L. R. 8 Ch. 800."
„ 342, l. 10 from foot, *for* "[1893] 1 Ch.," *read* "[1895] 1 Ch."
„ 355, Note 2, l. 3, *for* "[1894] 1 Ch.," *read* "[1904] 1 Ch."
„ 538, l. 25, *for* "*R. R. Co.* v. *Dane*, 1873," *read* "*Chicago and Great Eastern Railway Co.* v. *Dane*, 1870."
„ 628, l. 12, *for* "54 Geo. III. c. 156," *read* "54 Geo. III. c. 56."
„ 631, l. 19, *for* "14 & 15 Vict.," *read* "15 & 16 Vict."
„ 633, l. 11, *for* "51 & 52 Vict. c. 50," *read* "51 & 52 Vict. c. 17."
„ 635, l. 13, *for* "17 Geo. II.," *read* "17 Geo. III."

VOL. IV.

„ 117, l. 7 from foot, *delete* the second "can."
„ 125, l. 26, *for* "of," *read* "or."
„ 134, l. 34, *for* "1871," *read* "1881;" ll. 38 and 44, *for* "Allotment," *read* "Allotments."
„ 138, l. 32, *for* "Workman," *read* "Workmen."
„ 139, l. 7, *for* "Acts," *read* "Act."
„ 190, l. 15, *for* "1897," *read* "1879."

Page 229, l. 11, *delete* reference to "CRIMINAL APPEAL." The subject will be dealt with in the first Annual Supplement.

„ 355, l. 21, *for* the sentence beginning "It is immaterial" and the next sentence, *read* "Estate duty is payable on the personalty situate in England of a person not domiciled in England, but is not payable on the assets abroad of such a person even if he died in England."

„ 362, l. 5 from foot, *for* "[1903] 1 Ch. 188," *read* "[1893] 1 Ch. 188."

„ 368, last line, *for* "88," *read* "888."

„ 484, l. 18, *delete* reference to "PREFERENCE STOCK."

„ 683, l. 12, *for* "Vol. III. p. 486," *read* "Ante, p. 65."

VOL. V.

„ 3, l. 4, *for* "335," *read* "835."

„ 35, l. 25, *for* "granter," *read* "grantee."

„ 342, l. 22, *for* "1871," *read* "1881."

„ 531, l. 14, *for* "[1893] 2 Ch.," *read* "[1895] 2 Ch."

„ 554, l. 5, *for* "[1905] P.," *read* "[1904] P."

„ 570, l. 9 from foot, *for* "45 Ch. D. 449," *read* "45 Ch. D. 499."

„ 660, 3rd col., *for* "*Earl Russell's Case*, [1900] A. C.," *read* "*Earl Russell's Case*, [1901] A. C."

VOL. VI.

„ 110, l. 9 from foot, *for* "L. R. Eq. 382," *read* "L. R. 3 Eq. 382."

„ 153, l. 7, *for* "[1904] 3 Ch.," *read* "[1894] 3 Ch."

„ 274, Article FRAUDULENT CONVEYANCE. *Add* reference to VOLUNTARY CONVEYANCES ACT, 1893, Vol. XIV. p. 522.

„ 358, Article GENEVA CONVENTION. The convention of 1864 has been superseded by that of 1906.

„ 397, *for* paragraph beginning "*Application of Imperial Acts*," *read* "the Imperial Coinage Acts have been put in force in the colony (St. R. and O. Rev. 1904, vol. ii., "Coin, Colonies," p. 114), but under Orders in Council of June 10, 1843, June 30, 1852, and November 28, 1847 (*ib.* vol. ii. pp. 13-17), various foreign gold coins, including Spanish and South American doubloons, eagles of the United States, and French twenty-franc pieces are current in addition to the Imperial currency. Certain silver foreign coins were demonetised by Ordinance No. 2 of 1880."

„ 631, l. 36, *for* "[1900] 2 Q. B. 375," *read* "[1900] 2 Q. B. 735."

„ 645, l. 5, *for* "1878," *read* "1877."

„ 647, l. 14 from foot, *for* "or," *read* "of."

„ 662, l. 21, *for* "[1879] 11 Ch. D.," *read* "1879, 11 Ch. D."

„ 673, l. 17, *for* "*Re Lyons*," *read* "*Re Lynes*."

„ 678, l. 19, *for* "of," *read* "if."

„ 680, l. 12, *for* "45 Ch. D. 490," *read* "45 Ch. D. 499."

VOL. VII.

„ vi., List of Authors, *International Law*. This article was originally written for the First Edition by Sir Thomas Barclay, Knt.

„ 50, l. 12, *for* "LANDLORD AND TENANT," *read* "TENANT RIGHT."

„ 164, l. 23, *for* "1883, 2 Ch.," *read* "[1893] 2 Ch."

„ 169, l. 7, *for* "L. R. 8 Ex.," *read* "L. R. 8 Q. B."

„ 170, l. 13, *after* "will," *add* "not."

VOL. VIII.

„ 16, l. 31, *for* "[1894] 1 Q. B." *read* "[1894] 2 Q. B."

„ 20, l. 27, *for* "*Re Mountford*," *read* "*R.* v. *Mountford*."

Page 30, l. 29, *for* "minimum," *read* "maximum."
" 125, l. 25, *for* "[1879] 1 Ch.," *read* "[1897] 1 Ch."
" 133, l. 24, *for* "materia," *read* "materna."
" 141, l. 17, *for* "Aylesbury," *read* "Aylesford."
" 406, l. 12, *after* "1892," *add* "1903, 1908."
" 623, l. 15, *for* "Eastern," *read* "Garston."

VOL. IX.

" 29, l. 14, *after* "*Buckley*," *add* "1887, 19."
" 68, l. 39, *after* "time," *add* "but where the wages accrue due at fixed times and the servant is properly dismissed without notice between two such times, the servant is not entitled to any wages subsequent to the last periodical payment."
" 191, l. 8, *after* "(s. 716)" *add* "except;" l. 10, *delete* "not."
" 512, l. 9, *delete* "since."
" 643, l. 40, *add* reference to *Webb* v. *Outrim*, [1907] A. C. 81, which qualifies the statement in the text.

VOL. X.

" 650, l. 21, *for* "[1905] 2 Q. B.," *read* "[1895] 2 Q. B."

VOL. XI.

" 94, l. 22, *for* "37 Ch. D.," *read* "28 Ch. D."
" 276, l. 28, *for* "[1902] 1 K. B.," *read* "[1903] 1 K. B."
" 390, l. 4 from foot, *for* "L. R. 5 Eq.," *read* "Ir. R. 5 Eq."
" 409, l. 22, *for* "1 Ch. 351," *read* "1 Ch. 361."
" 561, l. 13, *for* "[1901] 2 Ch.," *read* "[1901] 1 Ch."
" 654, l. 13 from foot, *for* "1880," *read* "1800."

VOL. XII.

" 174, l. 6, *add* reference to *Webb* v. *Outrim*, [1907] A. C. 81, which qualifies the statement in the text.

VOL. XIII.

" 145, l. 36, *for* "s. 3," *read* "s. 13."
" 202, l. 21, *for* "*Re Boston Deep Sea*, 33 Ch. D. 339," *read* "*Boston Deep Sea Fishing & Ice Co.* v. *Ansell*, 1888, 39 Ch. D. 339."
" 247, *delete* last paragraph of article, SERVICE OUT OF THE JURISDICTION. *Cf.* County Court Rules, 1903, Ord. VII. r. 41.
" 424, *add* reference to Naval Marriages Act, 1908, 8 Edw. VII. c. 26.
" 507, l. 5, and p. 762, l. 34, *add* reference to *Webb* v. *Outrim*, [1907] A. C. 81, which qualifies the statement in the text.

VOL. XIV.

" 281, l. 16, *for* "Godfrey," *read* "Godefroi."
" 290, l. 3, *for* "846," *read* "946."
" 321, l. 33, *for* "34 Ch. D.," *read* "24 Ch. D."
" 324, l. 9, *for* "[1893] W. N. p. 230," *read* "[1893] W. N. p. 203."
" 429, l. 15, *for* "19 Ch. D.," *read* "29 Ch. D."
" 508, l. 6 from foot, and p. 647, l. 11 from foot, *add* a reference to *Webb* v. *Outrim*, [1907] A. C. 81, which qualifies the statement in the text.
" 638, l. 16, *for* "[1908] 2 Q. B.," *read* "[1898] 2 Q. B."
" 716, l. 6, *for* "*In re Elliott*, 1883," *read* "*Elliott* v. *Smith*, 1882."
" 801, l. 36, *for* "1873," *read* "1883."

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PRINTED BY WILLIAM GREEN AND SONS, EDINBURGH.

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